

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/12-01/15**

Date: **1 July 2016**

TRIAL CHAMBER VIII

Before: Judge Raul C. Pangalangan, Presiding Judge
Judge Antoine Kesia-Mbe Mindua
Judge Bertram Schmitt

SITUATION IN THE REPUBLIC OF MALI

IN THE CASE OF *THE PROSECUTOR v. AHMAD AL FAQI AL MAHDI*

CONFIDENTIAL

Registry's Submission on the appearance of witnesses

Source: Registry

Document to be notified in accordance with Regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Ms Fatou Bensouda, Prosecutor

Mr James Stewart

Counsel for the Defence

Mr Mohamed Aouini

Mr Jean-Louis Gilissen

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Others

I. Introduction

1. The Registry submits the present submission in accordance with the decision issued on 1 June 2016 by Trial Chamber VIII ("the Chamber") requesting the Registry to file a submission "confirming that essential arrangements have been completed for the appearance of all testifying witnesses" ("Decision").¹

II. Confidentiality

2. This submission is classified as confidential pursuant to regulation 23*bis*(1) of the Regulations of the Court as it contains information provided to the Victims and Witnesses Unit ("VWU") by the Defence on a confidential basis. Should the Chamber so order, the Registry stands ready to make this submission available to the public.

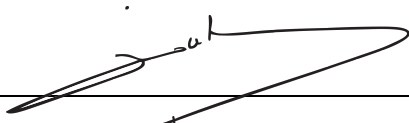
III. Submissions

3. The VWU has contacted the Prosecution and the Defence in order to inquire about the forthcoming appearance of their respective witnesses.
4. The Unit has received information from the Prosecution concerning the witnesses they intend to call to testify before the Court. Considering that the witnesses who need to travel are in possession of valid passports, the VWU intends to request the necessary visa in due time. Accordingly, the required travel arrangements for the appearance of the Prosecution witnesses are being made in order to allow them to appear at the seat of the Court, as scheduled by the Chamber in its Decision.
5. Regarding the Defence witnesses, on 29 June 2016, the VWU was informed by phone on a confidential basis that the Defence was not yet in a position to

¹ "Decision Setting the Commencement Date of the Trial", dated 1 June 2016, ICC-01/12-01/15-93.

confirm whether the witness that they intend to call will agree to testify before the Court.

6. Finally, the VWU would like to inform the Chamber that, should it consider implementing a familiarisation protocol or some elements thereof, the VWU remains at the Chamber's disposal to provide it with any further information on, inter alia, procedures to be followed related (1) to communication restrictions, (2) to the holding of courtesy meetings and (3) to security issues that may arise in relation to a witnesses' appearance.



Marc Dubuisson, Director, Division of Judicial Services

per delegation of Herman von Hebel, Registrar

Dated 1 July 2016

At The Hague, the Netherlands